

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JACOB HENRY BARRETT,

Plaintiff,

v.

MAX WILLIAMS et al.,

Defendants.

No. CV 06-875-JE

OPINION & ORDER

MOSMAN, J.,

On June 6, 2007, Magistrate Judge Jelderks issued Findings and Recommendation ("F&R") (#39) in the above-captioned case recommending defendants' motion for summary judgment (#30) be GRANTED and plaintiff's motion for summary judgment (#19) and motion for a preliminary injunction (#8) be DENIED. No objections were filed.

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The district court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. Where objections have been made, I conduct a *de novo* review. 28 U.S.C. § 636(b)(1)(C). However, I am not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate

judge to which no objections are made. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003).

Upon review, I agree with Judge Jelderks' recommendations, and I ADOPT the F&R as my own opinion.

IT IS SO ORDERED.

DATED this 11th day of July, 2007.

/s/ Michael W. Mosman

MICHAEL W. MOSMAN
United States District Court